State of Alaska
FY2003 Governor's Operating Budget

Department of Environmental Conservation
Environmental Health
Budget Request Unit Budget Summary

Environmental Health Budget Request Unit

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BRU Mission

Protect consumers from food-and water-borne illness.

BRU Services Provided

Safe water, safe food and healthy communities through:
- permitting and approvals;
- inspections and compliance assistance; and
- public education and outreach.
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BRU Goals and Strategies

1) SAFE WATER
- Work with owners and operators of public drinking water systems to ensure they provide drinking water that meets established health standards.
- In collaboration with the engineering community, implement appropriate design and maintenance standards for domestic wastewater systems so they can successfully treat sewage over time with proper routine maintenance.
- Certify commercial and municipal laboratories so they can accurately test the safety of the water produced by public drinking water systems for compliance with established health standards.
- Work with public water system operators to comply with the dizzying array of federal rules for public water systems, including source water assessments and consumer confidence reporting.

2) SAFE FOOD
- In support of Alaska's food and hospitality industries, implement a credible inspection and monitoring program that is protective of public health for seafood processors, shellfish growers, other Alaska-based food manufacturers, and food service operators.
- Conduct outreach efforts with industry and consumers on food safety hazards including how they can be controlled or otherwise managed.
- Monitor Alaska's wild seafood resources for the presence of selected persistent bioaccumulative toxins (PBTs).
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3) HEALTHY COMMUNITIES
- Protect public health and property values by improving the way solid waste is managed statewide with an increasing emphasis on field inspections, technical assistance, and regional planning.
- Implement improved sanitation standards for tattoo, body piercing, and permanent coloring cosmetic shops.
- Protect children's environmental health by implementing pesticide notification and posting requirements at public schools, updating sanitation requirements for public day care facilities, and working with public schools to improve compliance with drinking water monitoring requirements.

Key BRU Issues for FY2002 – 2003

The Division of Environmental Health deals with the most basic environmental health programs - food, water, sewage, and garbage. Adequate laboratory capacity to test food for the presence of biological or chemical contaminants and to certify private laboratories for accurate testing of public water supplies for these same substances is a critical component of the state's public health infrastructure.

Replacing the existing Seafood and Food Safety Laboratory with a new facility in Anchorage that meets the safety standards for a modern laboratory continues to be the top priority for this BRU. In the FY2002 capital budget, the Legislature appropriated 1.3 million in state general funds to design the new facility. The Department of Transportation awarded the design contract and that work has begun. In FY2003, consistent with language included in the FY2002

capital budget, additional funding will be sought for construction of the facility.

Major BRU Accomplishments in 2001

- Began rebuilding the Food Safety and Sanitation Program, reopening the Dutch Harbor and Nome offices.
- Developed the Wild Seafood Monitoring Project, which will test various fish species from around the state for the presence of selected persistent bioaccumulative toxins.
- Obtained EPA approval of State's Capacity Development Program for existing drinking water systems, complimenting EPA's previous approval of our Capacity Development Program for new systems.
- Changed food inspections to Risk Focused inspections, and received a small grant from the U.S. Food and Drug Administration to develop an interactive training CD for inspectors that will be distributed nationally.
- In partnership with regional health corporations and the Alaska Chapter of the Solid Waste Association of North America (SWANA), held four regional training sessions for rural landfill operators and community leaders.
- Adopted regulations that will protect children from unintended consequences of pesticide use by requiring public schools provide parents with notice before certain pesticides are used and post the treated areas.
- Developed an interactive training CD for homeowners on the installation, inspection, and maintenance of onsite septic systems.

Key Performance Measures for FY2003

Measure:
The change in cost per (A) permitted facility; and (B) nonpermitted facility.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:
Ensure fees paid by permitted facilities do not subsidize work done for unpermitted facilities.

Solid Waste Management
- Permitted Facility Cost - 4,087/facility
- Unpermitted Facility Cost - 645/facility

Food Safety and Sanitation
- Permitted Facility Cost - 285/facility
- Unpermitted Facility Cost - 196/facility

Benchmark Comparisons:
External comparisons not available.

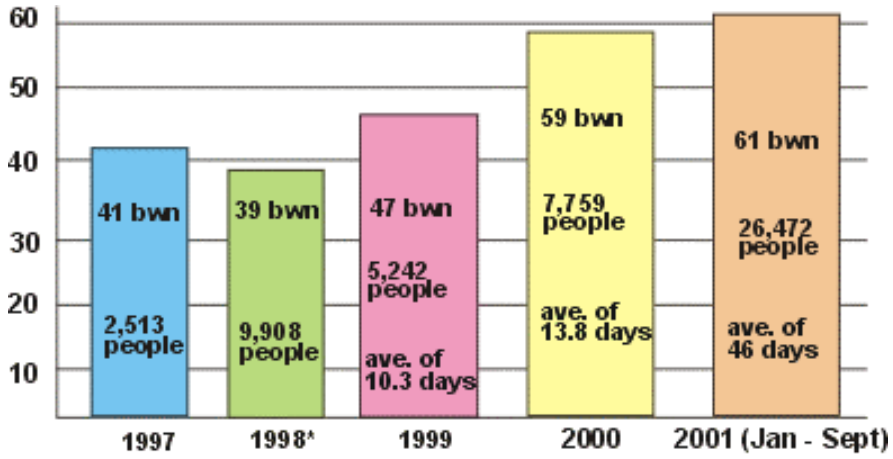
Background and Strategies:
Most solid waste facilities are required by state law to have a permit therefore as we continue to work towards ensuring all such facilities have a permit or an acceptable alternative to a permit (another of our performance measures), the benchmark should be met.

The Food Safety and Sanitation Program will have more difficulty in meeting the benchmark. Many of the facilities regulated by it for public health purposes do not pay fees because the department does not have fee authority for facilities regulated under AS 44.46.020(5), which includes day care centers, adult residential facilities, and pools and spas. In addition, schools are specifically exempted from paying fees for food inspections. This means that general funds, which have decreased over the past several years, must cover the costs of providing these important environmental health services to these facilities, the number of which continue to increase.

Measure:
The number of "boil water" notices issued, the population affected, and the duration for the year.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

A decrease in the number of Boil Water Notices issued, population affected, and duration of the notice.



In the first three-quarters of calendar year 2001, we have seen an increase in the population affected due to three large systems having short term notices (e.g. Eielson Air Force Base with a population of 9,046 had a BWN that lasted two days). The average length of the boil water notices also increased because several were in effect for most of the reporting period.

Benchmark Comparisons:
External comparisons not available.

Background and Strategies:
Boil water notices are issued when public water supplies exceed the public health standards for fecal coliform. Fecal coliform indicates a water system is being contaminated by sewage. Testing for fecal coliform is the most routine testing done by public water systems and the least expensive. 85% of the compliance sampling done by public water systems is for fecal coliform. The longer it takes the public water system to bring the water into public health compliance, the longer the requirement to boil the water will last.

To decrease the number of Boil Water Notices, their duration, and the population affected the department will
- work with engineers and others to ensure domestic wastewater systems are properly designed and installed;
- work with property owners and utility managers to ensure domestic wastewater systems are properly maintained;
- work with public water systems and the Division of Facilities, Construction and Operation to ensure water system
- operators are properly trained for the collection of water samples; and
- work with public water system operators to ensure the disinfection methods for the water system are appropriate and properly functioning.

Measure:
The percentage of sanitary surveys that result in significant compliance violations.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:
Yearly percent decrease (with a target of 10% for 2001, and 5% for 2002) in sanitary surveys that identify significant deficiencies. (It is important to note that "compliance violations" and "significant deficiencies" are not the same thing. A significant deficiency can result in many compliance violations over the years if the deficiency is not corrected; however, a deficiency does not immediately or automatically result in a compliance violation.)

During the first 3 quarters of this calendar year, 11% of the surveys completed found significant deficiencies.

Tracking this measure is relatively new (began in April, 2000) so we do not have similar data from last calendar year with which we can compare.

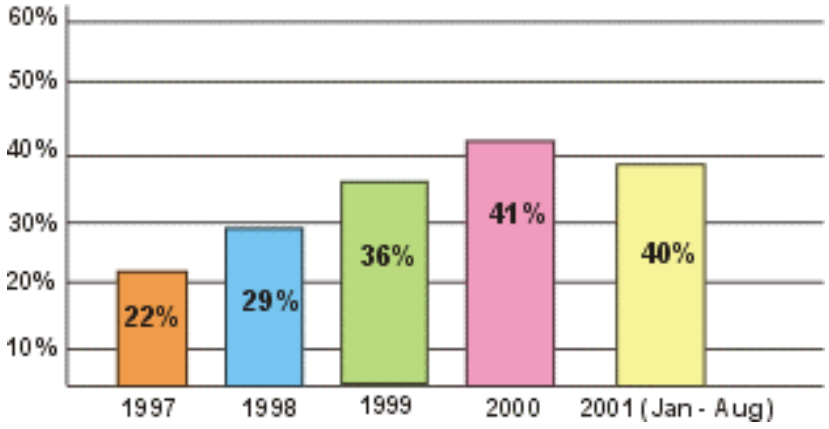
Benchmark Comparisons:
External comparisons not available.

Background and Strategies:
A sanitary survey is required of all public water systems that are federally regulated under the Total Coliform Rule and the Interim Enhanced Surface Water Treatment Rule. It is a general inspection of the system where the surveyor reviews how the system is operated, how well the owner of the system is keeping records, how well the system is managed, if the operator has the correct level of certification for the system, and the overall integrity of the infrastructure of the system. A sanitary survey can discover a wide range of violations from paperwork violations that may not present a threat to public health, such as reporting and record keeping violations, to violations that would directly impact public health such as having a sink drain plumbed into a treated water storage tank. This performance measure seeks to decrease the number of violations that may be a threat to public health. We want to focus on increasing education of the public water system owner, which should result in a decrease in deficiencies, some of which may have a significant public health effect. We also plan to focus on the quality of sanitary surveys to ensure significant deficiencies are identified. In addition, we will

- provide routine monitoring and reporting requirements to public water system owners through the use of the DW/WW Program's newsletter – "Northern Flows", fact sheets, annual monitoring summaries, and workshops;
- work with system owners and operators along with the Division of Facilities Construction and Operation to ensure that each public water system is under the supervision of a certified operator;
- provide assistance to public water system operators and owners, directly and through the Remote Maintenance Worker program, the National Rural Water Association, and the Alaska Water and Wastewater Management Association on how the water treatment process works, management issues, and system maintenance needs;
- provide information annually to the Division of Facilities Construction and Operation on the infrastructure needs of individual public water systems; and
- provide assistance for sanitary survey training classes that ensure that the owner, operator, and the surveyor are up to date on all the regulations and are able to determine when a deficiency is a threat to public health.

Measure:
The percentage of landfills with a permit or an alternative to a permit.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:



Percent increase of landfills with a permit or an alternative to a permit.

From January to August 2001, 108 active municipal landfill sites out of 271 (40%) had a current permit or an acceptable alternative. The reason that the percentage has gone down slightly since 2000 is not that the number of

permits or alternatives have decreased, but rather that the number of active sites has increased. This increase is due to new landfill permit applications as well as a few existing sites being captured in the database for the first time.

Benchmark Comparisons:
External comparisons not available.

Background and Strategies:
Alaskans generate about 1,300 tons of household garbage each day, nearly twice the national average per person. 78% is disposed of in landfills; 15% is incinerated; and 7% is recycled. DEC regulates 481 landfills: 210 are non-municipal (industrial) facilities that handle materials like drilling wastes, mine tailings, and construction wastes; 271 are municipal landfills, of which 10 serve large communities; 21 service medium-sized towns; 45 serve industrial or government camps; and 195 serve small villages. AS 46.03.100 requires that anyone who conducts an operation that results in the disposal of solid waste into the waters or onto the land of the state have a permit.

In order to increase the percentage of landfills with a permit and an alternative to a permit, we will
develop general permits for landfills that serve small camps and villages (Class 3 landfills);
- significantly streamline permitting process in-house through developing standard permit formats and language and
- reducing the detail in the permit document, relying instead on the language of the regulation and the permit application; and
develop permits-by-rule.
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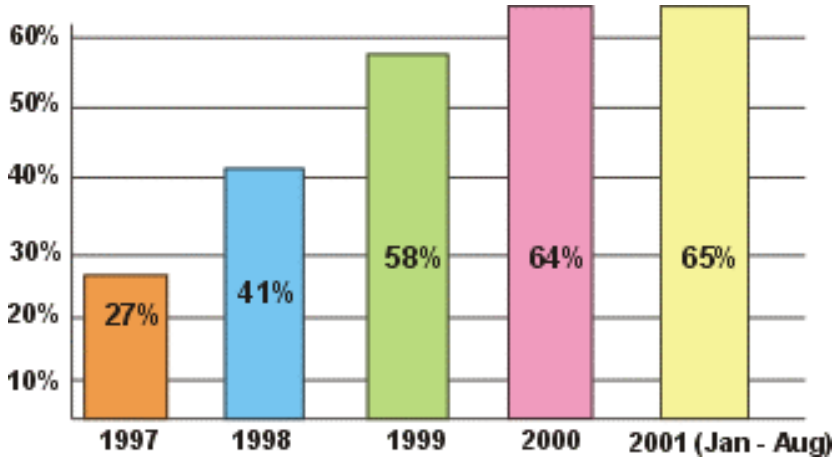
Measure:
The percentage of landfills with an inspection score of 80 or higher.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:



Increase in the percent of landfills inspected, and percent increase of landfills with an inspection score of 80 or higher.

From January to August 2001, we had inspected 23% of the permitted municipal landfills and 88% of those permitted sites had a score of 80 or higher. When we include both permitted and unpermitted sites inspected, 65% of the facilities inspected had a score of 80 or higher. Only 39% of the Class 3 community landfills (permitted or unpermitted) that were inspected had a score of 80 or higher. Class 3 landfills are those that accept less than an annual average of 5 tons of waste daily or less than one ton of incinerator ash. Generally, Class 3 landfills are in more rural areas of the state.

Benchmark Comparisons:
External comparisons not available.

Background and Strategies:

Landfill facilities are inspected to determine if they are disposing of their wastes in a manner that is protective of public health as outlined in their permits and the department's solid waste regulations. The higher the inspection score, the better the waste disposal practices by the landfill operator.

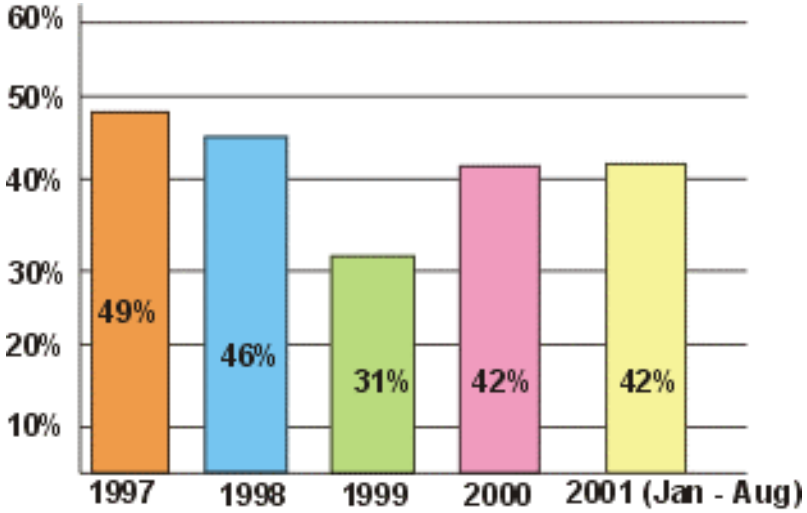
The greatest number of compliance problems continue to be found at Class 3 community landfills. In order to improve waste management in these communities, we need to further increase our field presence and find additional strategies to effect long-term improvements at these sites.

In order to accomplish this goal, we will

- streamline permitting to free up staff for field work, including technical assistance visits and inspections with a target of inspecting 25 - 35% of all permitted landfills annually;
- provide solid waste training to operators with an emphasis on rural landfill operations;
- increase our focus on solid waste handling options with communities; and
- increase the percentage of Class 3 community landfills that are inspected, and decrease the percentage of Class 1 and Class 2 community landfill inspections except for those facilities with compliance problems.

Measure:
The number of critical violations affecting food safety.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:



Percent decrease in critical violations that affect food safety and wholesomeness.

During the 3rd quarter of 2001, the program initiated a "Risk Focused" inspection at food service establishments. The emphasis of this type of inspection is on identifying and controlling the processes and procedures that contribute to food borne illness. These are considered critical items. It is anticipated that the incidence of critical violations will continue to go up as risk focused inspections are implemented at other types of food establishments, such as retail markets and food processors. Then, as the industry and program gain control of these risk factors, the incidences should begin to stabilize and then ultimately decrease.

These figures do not include seafood processor inspections. The seafood program's database is being redesigned to collect this for future reporting.

Benchmark Comparisons:
External comparisons not available.

Background and Strategies:

Critical violations occur when an operator is not in compliance with state food rules in a manner that can result in a foodborne illness. They include such things as serving shellfish from unapproved areas, not separating raw foods from cooked foods, and employees that do not wash their hands after using the restroom. Because foodborne illness is notoriously underreported, often passed off as the "stomach flu" (which doesn't exist), we use critical violations as a means to measure the likelihood of a foodborne illness occurring.

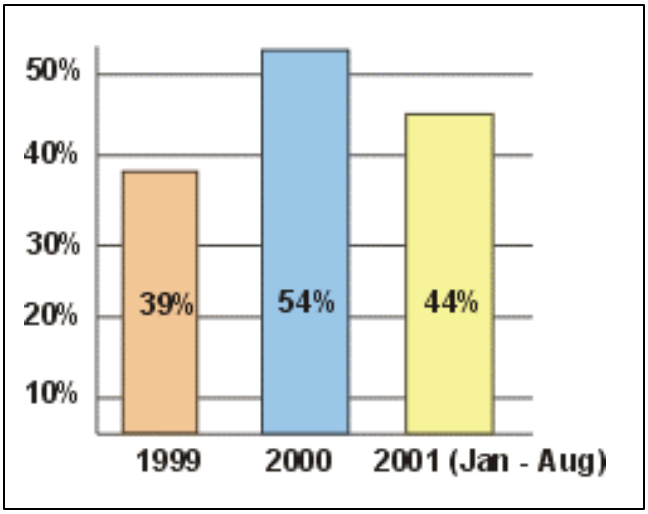
In order to reduce the occurrence of critical violations, we should

- inspect operations according to the public health risks they pose based on the type of food, preparation, or processing;
- focus on critical items during routine inspections;
- provide training to operators in order to have an educated workforce in food industry regarding food safety issues;
- and conduct outreach efforts with the food industry such as direct mailings and posting contemporary food safety issues on our website.

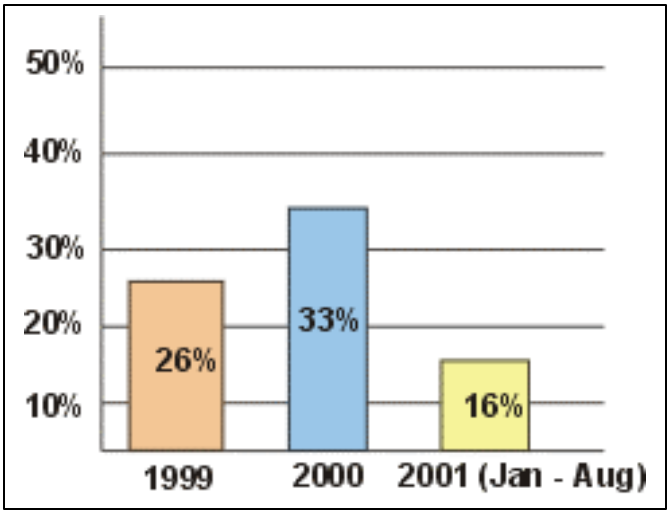
Measure:
The percentage of facilities inspected according to risk-based inspection frequency.
Sec 63 Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

Food Facilities



Public Facilities



Inspect high-risk operations at least once per year.

By the end of the August 2001, 34% of all food operations had been inspected at least once; 75% of the inspections were performed at higher risk level operations. 44% of all higher risk food operations have been inspected at least once.

During this same time, 5% of all public facilities were inspected at least once, and 93% of the inspections were performed at higher risk facilities. 16% of all higher risk public facilities have been inspected at least once. Only 32% of all public facilities are ranked as higher risk facilities.

Benchmark Comparisons:
External comparisons not available.

Background and Strategies:

The primary goal of a sanitation inspection program, whether for food operations or public facilities such as pools, spas, and day-care centers, is to protect the public from diseases that can be spread in those operations because of poor sanitation. This goal is best achieved with regular inspections, the frequency of which is based upon the public health risks posed by the particular operation. Inspections allow the department to interact with facility operators to identify and correct conditions that could lead to a public health outbreak before an outbreak occurs.

In order to ensure the best use of the department's resources, a risk-based inspection frequency protocol was developed and implemented three years ago. The protocol takes into account the type of food, the population served, the type of process or handling, and the likelihood that physical, microbial, or chemical hazards will be present.

In order to increase the percentage of higher risk operations that are inspected at least once per year, we will

- cross-train our inspection staff so all are able to proficiently inspect all types of food operations, including seafood processors;
- reduce the number of inspections performed at lower risk facilities unless done under contract with the U.S. Food and Drug Administration; and
- find ways to reduce the amount of time inspection staff must spend in the office.

Environmental Health

BRU Financial Summary by Component

All dollars in thousands

	FY2001 Actuals				FY2002 Authorized				FY2003 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures												
None.												
Non-Formula Expenditures												
Environmental Health Director	185.3	0.0	1.5	186.8	265.8	0.0	0.0	265.8	447.8	0.0	0.0	447.8
Food Safety & Sanitation	2,471.9	185.6	304.6	2,962.1	2,849.5	505.0	177.6	3,532.1	3,177.7	513.9	227.7	3,919.3
Laboratory Services	1,309.4	407.4	200.3	1,917.1	1,382.5	584.1	195.5	2,162.1	1,409.0	572.6	197.0	2,178.6
Drinking Water	1,324.4	2,122.8	24.2	3,471.4	1,538.6	2,389.5	0.0	3,928.1	1,723.2	2,605.7	0.0	4,328.9
Solid Waste Management	893.7	16.7	21.4	931.8	1,153.4	27.0	32.5	1,212.9	1,171.2	27.3	0.0	1,198.5
Totals	**6,184.7**	**2,732.5**	**552.0**	**9,469.2**	**7,189.8**	**3,505.6**	**405.6**	**11,101.0**	**7,928.9**	**3,719.5**	**424.7**	**12,073.1**

Environmental Health

Proposed Changes in Levels of Service for FY2003

In the Director's Office component, we are requesting a general fund increment of 175.0, including one full time position, to fully implement needed improvements in all division programs to address critical children's environmental health needs. Since 1997, there have been 747 drinking water violations in our public schools, the majority of which were for failure to test the water for bacteria. Since the year welfare reform began, the number of children who spend some portion of their day in child care has increased greatly, yet the division's child care sanitation regulations have not been updated since 1982. Once new regulations are proposed, significant outreach with child care operators will be needed in order to ensure the proposals are reasonable. Once the changes are adopted, it will be necessary to offer technical assistance to work with child care providers to ensure their facilities are safe for the children in their care. This increment will also allow the department to work with other state agencies on children's environmental health issues to ensure a coordinated effort is developed; to monitor national children's health initiatives and legislation for applicability in Alaska; and to develop and distribute training tools for child care centers and schools on relevant topics (food service, drinking water, pesticide use, indoor air quality, and wastewater).

The Drinking Water component is requesting an increment of 309.8, half of which is federal funds, to clear the backlog in several critical areas in the Drinking Water Program including the large number of water systems that are out of compliance with the microbiological testing rules, completion of sanitary surveys, and completion of the "ground water under the direct influence of surface water" determinations. Four new positions are being requested to work with owners and operators of water systems to come into and stay in compliance in these three areas, which EPA has determined threatens the safety and reliability of water supplies in many Alaskan communities.

In order to continue testing Alaska's wild seafood resources for contaminants of public health and public relations concerns, we are requesting a 324.0 increment in the Food Safety and Sanitation component, the funding is comprised of 274.0 in general funds and 50.0 in inter-agency receipts. The department will work with DHSS, ASMI, and ADFG to test a variety of fish species from all areas of the state, building a publicly accessible database that will, in the short term, provide answers regarding the presence of certain persistent bioaccumulative toxins (PBTs) such as heavy metals, dioxins, PCBs, and pesticides. In the long term, we will have trend data that will be used to determine if there are any contaminant levels that are increasing, allowing the state to take appropriate steps to prevent our wild seafood from being negatively impacted. Two full time and one part time positions are included in this request.

Due to the passage of HB 361 in 2000, the Solid Waste Management component will see the following changes as authorized by the fiscal note approved with the legislation:

- a fund source switch from program receipts to general funds of 230.4;
- line item transfers from the contractual line totaling 49.2 (43.2 to personal services; 5.0 to travel; and 1.0 to
- supplies);
- a decrement in the contractual line of 33.5; and
- the addition of one new position to track time, costs and other information required for the continued refinement of
- fees charged by the program as required by the legislation.

Alaska is experiencing a significant increase in the level of oil and gas exploration and development. Areas west of the Kuparuk River in the National Petroleum Reserve Alaska are being aggressively explored. During the winter of 2001-2002, 45 exploration wells are planned, versus 26 last year and 8 the year before. Oil companies from outside Alaska are moving forward with plans to drill in the foothills of the Brooks range. Exploration and development of Cook Inlet reserves is increasing as the result of significant recent discoveries. New seismic technology that has a high exploratory drilling success rate is spurring interest to conduct re-exploration of existing oil and gas production areas and may lead to additional exploratory drilling and development. The Minerals Management Service is proceeding with plans to hold lease sales in the offshore frontier areas of the Beaufort Sea, Chuckchi Sea, Norton Sound, and Cook Inlet during the next five years (2002 - 2007). Additional state and federal acreage on the North Slope and Cook Inlet will be leased for oil and gas exploration. Significant interest in the development of potential shallow natural gas and coalbed methane deposits exists and is increasing. The state has so far authorized exploration for these new resources in Northwest Alaska, the Tanana Basin, and on the Kenai Peninsula.

DEC is not keeping pace with the current level of oil and gas activities in Alaska and cannot keep up with the expected increased level of exploration and development activities.

- Oil and gas facilities are seldom inspected for compliance with state environmental laws.

The effects of oil and gas waste discharges to the air, land and water are not being monitored or measured.
- Too many permits are issued after long delays, uncertainty, and disagreement.
- There is little communication or collaboration with industry and concerned stakeholders on the planning and design
- of projects to minimize environmental problems and take advantage of opportunities to promote environmentally responsible development.

The oil and gas protection increment funds new and enhanced services in the Divisions of Spill Prevention and Response, Air and Water Quality, Statewide Public Service and Environmental Health. Services fall in three areas 1) environmental planning, design and consultation; 2) permitting; and 3) inspection and compliance.

Environmental Planning and Design Consultation

DEC will:

work proactively to identify potential environmental and public health issues early in the lease sale planning process
- when changes can be most effective in preventing future pollution problems.
review plans and statements for lease sale plans to identify and avoid or mitigate potential air, land and water quality
- effects.
identify and resolve potential environmental and public health issues early when changes to project designs can be
- most effective in preventing future pollution problems.
identify potential improvements to streamline its programs.
- review and prepare a single coordinated and consolidated response.
- develop and implement assessments of the cumulative effects of oil and gas activities on Alaska's environment.
- increase its participation with stakeholder workgroups to resolve disagreements on what it means to "do it right".
-

Inspection, Monitoring and Compliance

DEC will:

open a staffed North Slope office.
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Solid Waste Management in Environmental Health will:

provide ongoing oversight, inspection, and monitoring of inactive reserve pits that are undergoing closure or corrective
- action. While to date 414 sites have been approved for closure, about 130 sites will need extensive corrective action.

Environmental Health

Summary of BRU Budget Changes by Component

From FY2002 Authorized to FY2003 Governor

All dollars in thousands

	General Funds	Federal Funds	Other Funds	Total Funds
FY2002 Authorized	**7,189.8**	**3,505.6**	**405.6**	**11,101.0**
Adjustments which will continue current level of service:				
-Environmental Health Director	7.0	0.0	0.0	7.0
-Food Safety & Sanitation	54.2	8.9	0.1	63.2
-Laboratory Services	26.5	-11.5	1.5	16.5
-Drinking Water	29.7	61.3	0.0	91.0
-Solid Waste Management	18.8	0.3	0.0	19.1
Proposed budget decreases:				
-Solid Waste Management	-1.0	0.0	-32.5	-33.5
Proposed budget increases:				
-Environmental Health Director	175.0	0.0	0.0	175.0
-Food Safety & Sanitation	274.0	0.0	50.0	324.0
-Drinking Water	154.9	154.9	0.0	309.8
FY2003 Governor	**7,928.9**	**3,719.5**	**424.7**	**12,073.1**